

### **REMARKS**

Applicants appreciate the thorough review of the present application as indicated by the Office Action. Applicants submit that the claims are patentable over the cited art for at least the reasons discussed below. The claims are also patentable for the reasons discussed in Applicants' previous amendments. However, to facilitate the Examiner's reconsideration of this case, only the newly raised issue, the application of the newly cited Anderson reference, will be addressed below. To assure that that this submission is fully responsive to the Office Action, Applicants' previous amendments are incorporated herein by reference in their entirety. Applicants request passing of this application to issuance in light of the comments below and in the previous amendments.

#### **Independent Claims 15, 20 and 22 Are Patentable Over the Cited Art:**

Independent Claims 15, 20 and 22 and dependent Claims 32-37 stand rejected under 35 U.S.C. § 103 over United States Patent No. 6,202,206 to Dean et al. ("Dean") in view of United States Patent No. 5,867,713 to Shrader et al. ("Shrader") in view of United States Patent No. 6,047,194 to Andersson ("Andersson"). Office Action, p. 2. However, the explanation of these rejections does not discuss Claims 34-37. Claims 16-17, 24-25 and 28-29 are rejected over Dean, Shrader and Anderson and further in view of United States Patent No. 5,996,012 to Jarriel ("Jarriel"). Office Action, p. 4. However, the explanation of these rejections refers repeatedly to Cheng et al, which is not applied against these claims. In addition, no explanation is provided for the basis of the rejections of Claims 17, 25 and 29. Office Action, p. 4. Claims 15, 20, 22 and 32-37 are then again rejected, this time over Dean, Shrader, Andersson and Jarriel and further in view of view of United States Patent Application No. 2003/0110241 to Cheng et al. ("Cheng"). Office Action, p. 5. However, only Claims 34-37 are discussed and the explanation of those rejections, except for listing Andersson in the first line, are unchanged from the previous Office Action. Office Action, pp. 5-8. Claims 18-19, 26-27 and 30-31 are rejected over Dean, Shrader and Andersson and further in view of United States Patent No. 6,611,498 to Baker et al. ("Baker"). Office Action, p. 8.

As is clear from the preceding paragraph, Applicants are somewhat confused as to the basis for the current rejections as applied to some of the claims. Nonetheless, it would appear that the only substantive change is the reliance on Andersson, rather than Cheng, as disclosing "including a segment configured to initiate registration operations for the application program at the target stationing the file packet (See col. 8, lines 3-14)." Office Action, p. 3. the cited portion of Andersson, in its entirety, reads as follows:

A determination is also made, indicated by the activity block 124, at the mobile terminal 14 whether to permit transmission of packet data originated by the Internet host 12, as identified in the SMS message, to the mobile terminal. **When a determination is made to permit the transmission of the packet data, an indication of such permission is provided by the mobile terminal, indicated by the sequence segment 128 in which the radio transceiver initiates registration to enter into a packet state, pursuant to packet communication registration procedures.** Thereafter, the packet data is routed to the mobile terminal 14.

Andersson, Col. 8, lines 3-14 (emphasis added).

As an initial matter, the reference to a "segment" in the excerpt of Andersson above is a reference to a line on Figure 2 indicating that the exchange is between the MS 14 and the VPMSC 44. Items 112, 114, 116, 118 and 122 (as well as other such lines) are likewise referred to as segments. Thus, the cited portion of Andersson does not even disclose "including a segment" in a file packet, it describes including a segment line in a figure of a patent to graphically illustrate a communication between source and destination devices.

Assuming that the rejection does not rely on the appearance of the word "segment" in Andersson, the exchange represented by segment 128 of Andersson likewise does not disclose "preparing a file packet associated with the application program and including a segment configured to initiate registration operations for the application program at the target on-demand server" as recited in independent method Claim 15 (or the corresponding recitations of independent Claims 20 and 22). Andersson is merely describing setup of a communication channel for a mobile network including both circuit-switched and packet-switched communication options. Andersson, Col. 2, lines 28-39; Col. 8, lines 3-14. Security is provided for the packet channel by allowing a mobile terminal to provide

"permission" to the network before the network will initiate the packet channel setup. Andersson, Col. 8, lines 7-11. The capability, both hardware and software, for supporting receipt and processing of packet communications over the packet channel are always present on the mobile terminal and at the network, the "permission" sent from the mobile terminal merely authorizes packet channel setup. Thus, even were the "permission" to be considered to be trigger for "registration operations," it is clearly not registering an "application program," it is, at most, registering a device to utilize an already configured service capability. Furthermore, the packet communications capabilities of Andersson are clearly not an "application program" that is distributed by "a network management server" to the mobile terminal as recited in the independent claims. Thus, contrary to the allegation of the Office Action, Andersson clearly does not disclose "including a segment configured to initiate registration operations for the application program." Office Action, p. 3. Accordingly, the rejections of independent Claims 15, 20 and 22 should be withdrawn for at least these reasons.

**The Dependent Claims:**

Each of the dependent claims is patentable at least based on the patentability of the independent claim from which it depends as discussed above. In addition, various of the dependent claims are separately patentable as discussed in Applicants' previous amendments, which are incorporated by reference above.

Applicants note that the present Office Action fails to include any discussion of a basis for the rejections of Claims 17, 25 and 29. Each of these claims includes further recitations related to the included "segment" discussed above with reference to the independent claims. Applicants submit these claims are separately patentable at least as the Office Action fails to provide any basis for rejecting these claims and Andersson clearly does not disclose such recitations as it fails to even disclose an included segment as recited in the independent claims.

Applicants further note that the basis for the rejections of Claims 34-37 is particularly unclear. As best as Applicants can tell, however, while Andersson is added by reference to

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the rejection of the independent claims, the recitations of these dependent claims appear still to be based on Cheng for the same reasons as previously advanced in the last Office Action. However, assuming that this is correct, the present Office Action has failed to respond to any of the arguments presented by Applicants in their amendment mailed June 22, 2005. Accordingly, even though the June amendment has been incorporated by reference above, the portions of that amendment directed to Claims 34-37 will be reproduced herein for the Examiner's convenience:

With respect to Claims 32-35, the basis for the Examiner's assertion that these recitations are disclosed by Cheng is unclear given that only a paragraph citation is supplied with no explanation as to how the Examiner believes these recitations are disclosed or suggested by the cited portions of Cheng. For example, Claim 34 recites inclusion of "a selected version of an application launcher in the file packet." Applicants can find nothing in the cited portions of Cheng that appears to even remotely relate to an application launcher program, distinct from the application program, that is sent from a centralized network management server to a target on-demand server. As described in the present application:

as used herein, the term "application launcher program" may refer to the entire program provided by a software vendor or to merely a portion thereof distributed to a client to perform particular operations. For example, the application launcher program distributed to initially populate the user desktop preferably does not include the code associated with the underlying application program and obtaining preferences which may only be distributed to the client later when execution of the application program is requested. The application launcher program distributed to populate the user desktop may only include a URL and an associated ICON and, possibly, code to allow obtaining of user identification and password information. Memory usage on the client stations may thereby be limited.

Specification, p. 22, line 31 to p. 23, line 10. As further described in the present application:

the application launcher programs may be applets which display the icon which are associated with a web browser Universal Resource Locator (URL) which points to the location of the applet to be executed. Upon selection of the icon displayed by the application launcher, the selected application is "launched" by requesting the URL of the application from the on-demand server. Such requests may be made utilizing conventional Hyper-Text Transfer Protocol (HTTP) communications or other suitable

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protocols.

Specification, p. 15, line 8-15. Applicants can find no disclosure of such an application launcher program in the cited portions of Cheng and, accordingly, Claim 34 is separately patentable for at least these reasons.

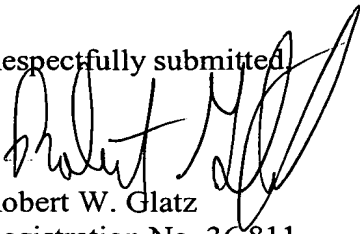
With respect to the remaining rejections of dependent Claims 32-33 and 35-37, if the rejections are not withdrawn, Applicants request an explanation of how the recitations of these claims are disclosed by Cheng so that Applicants can fully respond to the rejections.

June Amendment, pp. 9-10. Applicants once again request the courtesy of some clarification of the basis of these rejections in light of the comments above if the rejections are not withdrawn.

### CONCLUSION

Applicants respectfully submit that, for the reasons discussed above, the references cited in the present rejections do not disclose or suggest the present invention as claimed. Accordingly, Applicants respectfully request allowance of all the pending claims and passing this application to issue.

Respectfully submitted,

  
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